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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,268	06/13/2001	David E. Pope	CTX-068	5380

959 7590 10/20/2005
LAHIVE & COCKFIELD, LLP.
28 STATE STREET
BOSTON, MA 02109

EXAMINER

WRIGHT, NORMAN M

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Replacement (orig lost)

Office Action Summary	Application No.	Applicant(s)	
	09/880,268	POPE ET AL.	
	Examiner	Art Unit	
	Norman M. Wright	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

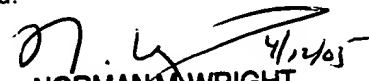
Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


NORMAN M. WRIGHT
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/24/01, 1/16/03; 10.</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7, 9-20 and 22, are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Dolan et al., U.S. Pat. No. 5,604,801, hereinafter '801.

3. As per claims 1-7, 9-20 and 22, '801 teach a public key data communications system (fig. 1) under the control of a portable security device/computer (110) comprising: a method for facilitating re-authentication (abs., figs. 7 and 10) of a user using a client computer/work station (110), via a server computer (130), a memory (350, 370), a key generator, destroyer, encryptor, and decryptor (figs. 2, fig. 3 and 5, [360], fig. 4a-4b, 6a-6b), establishing a first communication/transmission/session/ message/ initialization of communications (fig. 10), generating a key/ variant key (col. 3, lines 4 et seq., 754, col. 9, lines 45 et seq.), receiving and encrypting confidential information/password/pin (figs. 4a-b and 5, col. 6, lines 57 et seq., and col. 7, lines 30 et seq.), storing said encrypted confidential information on the server (figs. 3 and 5 [350], col. 6, lines 35 et seq. and col. 7, lines 1 et seq.), transmitting and deleting the key (col. 7, lines 1-10 et seq.), creating an identifier and storing the identifier (fig. 7 and 9-10, col. 6, lines 47 et seq., col. 8, lines 39 et seq., and col. 9, lines 30 et seq.), performing an exclusive "or" operations (fig. 5, 7, 10, col. 7, lines 31 et seq., col. 8, lines

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45 et seq., col. 9, lines 45 et seq.), a data base (350, col. 6, lines 35 et seq.), establishing a second session..., receiving the key..., using the key to decrypt confidential information... and storing... (figs. 4b-6b, col. 6, lines 45 et seq., and col. 7-8, and col. 9, lines 34 et seq.), receiving... and using the identifier...(col. 8, lines 60 et seq., and col. 9, lines 1-65), creating a second key... and identifier..., encrypting with the second key..., storing the encrypted information..., transmitting the second key..., and deleting said key...(col. 4, lines 20 et seq., and col. 7, lines 60-col. 10 et seq., figs. 3-7, 9-11), a pointer/label/reference (col. 9, lines 1-5 et seq.). '801 teach that a one-time session may be utilized, upon termination/completion of the first session, where each session/message is being defined as the time during which an interactive program accepts input and processes information. Here, specifically, a new session is being conducted each time the previous session is completed, meaning that a new message that is to be sent to the server is the initiation of a new session/message.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 8 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dolan et al. '801, as applied to claims 1-2 above, and further in view of Alegre et al., U.S. Pat. No. 6, 199,113, hereinafter '113.

6. As to claim 8, '801 do not explicitly teach the use of a time limit upon the encrypted confidential information. He does however, teach that session keys are only good for a single transaction and then they are modified for the next session/message. Additionally, he teaches, the use of an on-line system management device wherein access control for the encryption keys or users rights to access maybe managed by rescinding or deleting the keys/users in the servers' database (col. 7, lines 13-20 et seq., and col. 8, lines 30 et seq.). '113 explicitly teach a time limit upon access data and in particularly session keys used to gain access to services (col. 4, lines 35 et seq.). It would have been obvious to one of ordinary skill in the art at the time of the invention, to augment the data processing network of '801 with the key management type of system, program or routine utilized in '113 to set the expiration period for the authentication data. One of ordinary skill in the art would have been motivated to perform such a modification because, a skilled artisan would have realized that having credentials that are valid for an indefinite period of time leaves a system open and vulnerable for attack. A person interested in securing a network that is utilizing cryptographic technologies and in particular session keys (those utilized for a limited period), would have a keen interest in managing the time limit that the credential based upon a session key are valid. Therefore, a person of ordinary skill in the art would have looked to a time management technique/criteria such as the one disclosed by '113 (col.

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6, lines 25-43 et seq.) as a means of managing and rescinding a users credentials or authentication authority.

7. As to claim 21, it distinguishes over rejected claims 1-20 and 22, by reciting that the encrypted information is stored in a table format. The examiner takes official notice of both the modification and motivation necessary for data to be stored in a tabular format. It would have been obvious to one of ordinary skill in the art at the time of the invention, to further augment the data processing network of '801 by storing the data in table format. A person of ordinary skill would have readily realized that the format of storing data in a tabular form is a convention that is readily used for associating data in a user-friendly format. Additionally, it is frequently used to associate data and other attributes as a means of grouping data into convenient form for data storage and retrieval, as such it is a matter of preference as to how the data is stored.

Conclusion

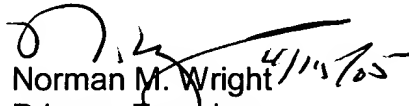
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norman Wright whose telephone number is (751) 272-3844. The examiner can normally be reached on Mondays - Thursdays from 9am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse, can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Norman M. Wright
Primary Examiner
Art Unit 2134